

REMARKS

Reconsideration of the subject patent application is respectfully requested in light of the preceding amendments and following remarks. This Amendment and Response is being submitted in conjunction with the Request for Continued Examination and accompanying fee included herewith. Claims 15-32 are pending in the subject application. It is noted with appreciation that Claims 29-31 have been allowed. Claims 1-14 were previously canceled. By this amendment, Claims 15, 16, 18, 23, and 29 have been amended to more particularly point out the subject matter regarded as inventive and Claim 32 has been added. Support for the amendments to the Claims can be found throughout the written specification and drawings. It is therefore respectfully submitted that no new matter has been introduced by these amendments.

Objection to the Drawings

The drawings were objected to under 37 CFR 1.83(a) for not showing the L-shaped slot. By the amendments above, the Claims no longer recite a "slot." Therefore, it is respectfully submitted that the objections to the drawings have been obviated. Withdrawal of the objection to the drawings is respectfully requested.

Rejections Under 35 U.S.C. § 102(b)

Claims 15-23 and 27-28 were rejected under 35 U.S.C. §102(b) over British Patent No. 2,371,597 to Farrar et al. (hereinafter "Farrar"). Farrar describes an apparatus for releasing a security device held within a media container. A generally rectangular slot (1) includes side walls (30D,E,F,G), a top wall (30J) and bottom wall (30C) for receiving containers needing

release of a security device. Eventually, when the container approaches the end of slot (1), the security device (3) comes into proximity with magnets (8,9), which release security device (3) from the container as the container is removed from slot (1). The magnets are deep within slot (1), and in order for the apparatus to function, it is necessary that the containers be no wider and no taller than slot (1). Slot (1) is particularly suited for containers of specific sizes, as the CD container shown in Fig. 6A and the DVD containers shown in Figs. 7A and 7B.

In contrast to Farrar, amended Claim 15 recites an apparatus for releasing a magnetic security device that includes a first portion for locating an article in a first direction and a second portion for locating an article in a second direction substantially perpendicular to the first direction. The first and second portions define a receptacle configured and adapted to receive an article so as to physically restrain the article in the first and second directions as it is brought into contact with the first and second portions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. The receptacle is configured and adapted to receive an article having first and second surfaces that are wider in the third direction than the apparatus.

Farrar does not teach, suggest, or disclose each and every element of amended Claim 15. In particular, Farrar does not disclose an apparatus that includes a receptacle configured and adapted to receive an article having first and second surfaces that are wider in the third direction than the apparatus. The generally rectangular slot (1) in Farrar has end walls (30D,E) that limit the total width of any article or surfaces thereof when positioned within slot (1). An article having surfaces with a width in the lateral direction wider than slot (1) (from end (30D) to end (30E)) cannot be admitted through slot (1) to gain access to the magnets deep within slot (1). In

other words, the receptacle structure recited in Claim 15 can admit articles of any width in the receptacle, even if surfaces of the article are wider than the total width of the apparatus, whereas slot (1) in Farrar cannot admit any surfaces of an article into its receptacle if those surfaces are wider than the apparatus itself.

For at least the foregoing reasons, it is respectfully submitted that Farrar does not teach, suggest, or disclose each and every element recited in amended Claim 15. Claims 17-23 depend from amended Claim 15 and include all of the elements recited in amended Claim 15. Therefore, it is respectfully submitted that Farrar does not anticipate Claims 15 and 17-23 as presently amended. Withdrawal of the rejection under 35 U.S.C. §102(b) with respect to amended Claims 15 and 17-23 is therefore respectfully requested.

Concerning the Examiner's rejection of independent Claim 16, as currently amended Claim 16 is directed to an apparatus for releasing a magnetic security device including a first portion for locating an article in a first direction and a second portion for locating an article in a second direction substantially perpendicular to the first direction. The first and second portions define an L-shaped receptacle configured and adapted to restrain an article in the first and second directions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. The receptacle is configured and adapted to receive an article having first and second surfaces that are wider in the third direction than the apparatus.

Farrar does not teach, suggest, or disclose each and every element recited in amended Claim 16. In particular, Farrar does not disclose a receptacle that is configured and adapted to receive an article having first and second surfaces that are wider in the third direction than the

apparatus. It has already been established above with respect to amended Claim 15 that Farrar does not describe such a receptacle.

For at least the foregoing reasons, it is respectfully submitted that Farrar does not teach, suggest, or disclose each and every element recited in Claim 16, as presently amended. Claim 27 depends from amended Claim 16 and thus includes all the elements recited in amended Claim 16. Therefore, it is respectfully submitted that Farrar does not anticipate Claims 16 and 27, as presently amended. Withdrawal of the rejection under 35 U.S.C. § 102(b) with respect to Claims 16 and 27 is therefore respectfully requested.

Claim 28 recites a method of releasing a magnetic security device. The method includes the steps of providing an apparatus as recited in Claim 15 and presenting an article with a magnetic security device thereto to release the magnetic security device therefrom. It has been explained above that Farrar fails to disclose an apparatus that includes each and every element recited in amended Claim 15. Since Claim 28 includes providing an apparatus as recited in amended Claim 15, Farrar does not disclose each of the elements recited in Claim 28. Therefore, it is respectfully submitted that Farrar does not anticipate Claim 28. Withdrawal of the rejection under 35 U.S.C. 102(b) with respect to Claim 28 is therefore respectfully requested.

Claims 24-26 were objected to as being dependent upon a rejected base claim, namely Claim 15. Claim 15 has been amended, as described above. It has been established above that Farrar does not disclose each and every element of amended Claim 15. Since Claims 24-26 depend from amended Claim 15, it is respectfully submitted that the objection to Claims 24-26 has been obviated and withdrawal of the objection is earnestly requested.

CONCLUSION

Applicants respectfully submit that none of the prior art of record, alone or in combination, discloses or suggests the invention as presently claimed. Based upon the foregoing, favorable consideration of Claims 15-33 is respectfully requested. If it is believed that an interview would advance prosecution, the Examiner is invited to call Applicants' representatives at the number below.

It is respectfully submitted that this response is timely submitted, together with the enclosed Request for Continued Examination and accompanying fee. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 64496US (53583).

Respectfully submitted,

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/Joshua L. Jones/

Joshua L. Jones, Reg. No. 57,044
EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, MA 02205
Tel: (203) 353-6870
Fax: (866) 255-3049
Attorneys/Agents for Applicants

Customer No.: 21.874